

the use of the State for charters, amendments and supplements thereto, and to repeal all laws and parts of laws in conflict with this act in so far as they may affect the same."

Pending action,

On motion of Senator Tillett, the Senate adjourned until 10 a. m. tomorrow.

## TWENTY-SECOND DAY.

Senate Chamber,  
Austin, Tex., Tuesday, Feb. 9.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Morris.
Bailey.	Neal.
Beall.	Rogers.
Bowser.	Ross.
Burns.	Stafford.
Colquitt.	Stone.
Dibrell.	Terrell.
Goss.	Tillett.
Gough.	Turney.
Harrison.	Wayland.
Kerr.	Woods.
Lewis.	Yett.
Linn of Wharton.	

Excused.

Boren.	Linn of Victoria.
Darwin.	Presler.
Greer.	Yantis.

Prayer by the Chaplain, Rev. F. S. Jackson.

Pending the reading of the Journal of yesterday,

On motion of Senator Harrison, the same was dispensed with.

On motion of Senator Gough, Senator Linn of Wharton was excused from attendance upon the Senate on yesterday, on account of sickness.

## PETITIONS AND MEMORIALS.

By Senator Linn of Wharton:

Petition from citizens of Galveston, Texas, owning land and lots fronting on Strand street and on Avenue B west of Twenty-fifth street.

Read and referred to Committee on Towns and City Corporations.

By Senator Ross:

Memorial from citizens of Fannin county, asking for a law to suppress "cold storages" in local option districts.

Read and referred to Judiciary Committee No. 2.

By Senator Ross:

Memorial from citizens of Fannin county, asking for local option laws.

Read and referred to Judiciary Committee No. 2.

By Senator Stafford:

Petition of A. P. Moore, against the assignment law.

Read and referred to Judiciary Committee No. 1.

By Senator Linn of Wharton:

Invitation to the Senate, extended by the Galveston Chamber of Commerce, to visit Galveston to witness the presentation of the silver service to the United States battleship "Texas."

On motion of Senator Linn of Wharton, the invitation was accepted.

## COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, Feb. 9, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 18, a bill to be entitled "An act to amend article 386c, chapter 1, title 18, of the Revised Statutes, relating to cities and towns."

And find the same correctly enrolled, and have this day, at 12.35 p. m., presented the same to the Governor for his approval.

NEAL, Acting Chairman.

Committee Room,  
Austin, Texas, Feb. 8, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 75, a bill to be entitled "An act to validate all office forfeitures of lands heretofore made by the Commissioner of the General Land Office for the non-payment of any part of the interest due thereon, which land has been heretofore sold by the State through any of its authorized agencies, and without reference to the date when, or the acts of the Legislature under which, said sales were made."

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,  
Austin, Texas, Feb. 9, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 94, a bill to be entitled "An act to amend article 1036, chapter 20, title 27, of the Revised Civil Statutes of the State of Texas, relating to payment of costs and returning mandates in the Courts of Civil Appeals."

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 77, a bill to be entitled "An act to amend article 119, title IX, chapter 1, of the Revised Civil Statutes, relating to the admission of idiots and epileptics to the insane asylums of this State."

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 101, a bill to be entitled "An act to amend article 879, title 17, chapter 2, of the Penal Code of the State of Texas, in regard to theft from the person."

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, Feb. 8, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 127, a bill to be entitled "An act to provide for the prosecution and punishment of a person found guilty of inducing, or attempting to induce, a witness not to appear or testify in any case in any court of this State or before any grand jury."

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Stock and Stock-raising, to whom was referred

Senate bill No. 87, a bill to be entitled "An act to amend an act of the regular session of the Twenty-third Legislature, entitled an act to provide for the protection of domestic animals, for the creation of a live stock sanitary commission, rules and regulations, to provide penalties for violating the same, and to make an appropriation to carry out the provisions of this act, approved April 20, A. D. 1893."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

TURNNEY, Chairman.

Committee Room,

Austin, Texas, Feb. 8, 1897.

Hon. George T. Jester, President of the Senate.

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 153, a bill to be entitled "An act to amend article 271 of chapter 6, title 8, of the Penal Code of the State of Texas, adopted in 1895, relating to the approval of official bonds, and to repeal all laws and parts of laws in conflict with the same."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STAFFORD, Chairman.

Committee Room,

Austin, Texas, Feb. 8, 1897.

Hon. George T. Jester, President of the Senate.

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 142, a bill to be entitled "An act to amend articles 373, 374, 375 and 376, of the Penal Code, Revised Statutes of the State of Texas, relating to lotteries and raffles."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STAFFORD, Chairman.

Committee Room,

Austin, Texas, Feb. 8, 1897.

Hon. George T. Jester, President of the Senate.

Your Judiciary Committee No. 2, to whom was referred

House bill No. 82, a bill to be entitled "An act to amend article 878, title 17, chapter 9, of the Penal Code of the State of Texas, and to make the receiving or concealing of stolen property a criminal offense, and to provide

appropriate penalties for said offense, and to repeal all laws and parts of laws in conflict with the provisions of this act."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STAFFORD, Chairman.

Committee Room,  
Austin, Texas, Feb. 8, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 65, a bill to be entitled "An act to define and punish the offense of wilfully or maliciously throwing missiles or firing guns or other firearms at or into moving trains on railroads or any railway depot, private residence, schoolhouse, churchhouse, courthouse, storehouse, hotel or other public or private building, sailboat or steamboat in this State."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STAFFORD, Chairman.

Committee Room,  
Austin, Texas, Feb. 8, 1897.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 102, a bill to be entitled "An act to repeal articles 513b, 513c, 513d and 520, chapter 5, title 13, of the Penal Code of the State of Texas, and to amend articles 510, 511, 512, 513, 514, 515, 516, 517 and 518 of said chapter and title, and to further amend said chapter by adding thereto articles 517a, 518a, 518b, 518c, 518d, 518e, 518f and 518g, relating to the protection of fish, birds and game; and to repeal all laws and parts of laws in conflict therewith."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

STAFFORD, Chairman.

Committee Room,  
Austin, Texas, Feb. 8, 1897.

Hon. George T. Jester, President of the Senate.

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 49, a bill to be entitled "An act to amend title 3, chapter 1, of the Criminal Code of the State of Texas, by adding articles 79, 80, 81, 82,

83, 84, 85, 86 and 87, and repealing chapters 2, 3 and 4 of said title, to make accomplices and accessories principal offenders."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STAFFORD, Chairman.

Committee Room,  
Austin, Texas, Feb. 8, 1897.

Hon. George T. Jester, President of the Senate.

Your Judiciary Committee No. 2, to whom was referred

House bill No. 54, a bill to be entitled "An act to amend article 338 of the Penal Code of the State of Texas, adopted A. D. 1895, so as to fix the penalty for unlawfully carrying arms at a fine of not less than \$25 nor more than \$200."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STAFFORD, Chairman.

Committee Room,  
Austin, Texas, Feb. 8, 1897.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 134, a bill to be entitled "An act to amend article 856, chapter 4, title 9, relating to the hiring out and working of convicts on the public works where such convict is convicted of a felony or misdemeanor and his penalty is assessed at a pecuniary fine and he makes oath that he is unable to pay such fine and costs."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STAFFORD, Chairman.

Committee Room,  
Austin, Texas, Feb. 8, 1897.

Hon. George T. Jester, President of the Senate.

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 146, a bill to be entitled "An act to amend the law entitled 'Unlawfully selling intoxicating liquors,' by repealing articles 403, 404 and 405, chapter 6, title XI, of the Penal Code of the State of Texas."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

STAFFORD, Chairman.

Committee Room,  
Austin, Texas, Feb. 8, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 103, a bill to be entitled "An act to protect the wild game, birds and wild fowls in this State, and to provide adequate penalties for the unlawful taking, slaughter, sale and shipment thereof."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, for the reason that another bill of similar import has been reported favorably.

STAFFORD, Chairman.

Committee Room,  
Austin, Texas, Feb. 8, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 164, a bill to be entitled "An act to make it a penal offense, and prescribe the punishment for the violation of this act, for any State Superintendent of Public Instruction, any county judge acting as superintendent of public instruction for any county, any county superintendent of public instruction, any superintendent of public instruction of any city or town, any trustee of any public free school, or any principal or teacher of any public school, who shall accept an agency on salary, commission or otherwise, from any person, firm, association of persons or corporation, dealing in school books, school furniture or school supplies."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STAFFORD, Chairman.

#### BILLS AND RESOLUTIONS.

By Senator Harrison:

Senate bill No. 170, a bill to be entitled "An act to amend articles 402 and 406, chapter 6, of the Penal Code of the State of Texas, and to add thereto articles 406a and 406b."

Read first time and referred to Committee on Public Health and Vital Statistics.

By Senator Woods:

Senate bill No. 171, a bill to be entitled "An act to amend article 3582a, title LXXVa, of the Revised Civil Statutes, in regard to the Board of Pardon Advisers."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Lewis:

Senate bill No. 172, a bill to be entitled "An act to authorize the Governor to use the Texas State exhibit at the Tennessee Centennial, and providing an appropriation for overhauling said exhibit."

Read first time and referred to Committee on State Affairs.

By Senator Tillett:

Senate bill No. 173, a bill to be entitled "An act to provide for the sale and lease of the lands belonging to the school, asylum, University, and orphans' home funds, and to provide for the forfeiture of sales when terms are not complied with, and to provide for forfeitures of all such lands heretofore sold when the purchaser has failed to comply with the law, and to repeal all laws in conflict with this act."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Beall (by request):

Senate bill No. 174, a bill to be entitled "An act to prevent deception and fraud by owner or owners or agent who may have control of any stallion kept for service, by proclaiming or publishing fraudulent or false pedigrees, and to protect such owner or owners or agents in the collection of fees for the services of such stallion."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Neal:

Senate bill No. 175, a bill to be entitled "An act to amend article 2312 of chapter 4, title 40, of the Revised Civil Statutes of the State of Texas, relating to evidence."

Read first time and referred to Judiciary Committee No. 1.

By Senator Beall:

Senate bill No. 176, a bill to be entitled "An act to prescribe the powers, duties and compensation of the State Board of Examiners, and to regulate the issuance of State certificates."

Read first time and referred to Committee on Education.

By Senator Ross (by request):

Senate bill No. 177, a bill to be entitled "An act to amend article 3929 (a), (b), (c), and (d) of the Revised Civil Statutes of 1895, relating to county superintendents of public schools."

Read first time and referred to Committee on Education.

Call concluded.

The President of the Senate sub-

mitted the following communication, which, after being read, on motion of Senator Colquitt, was ordered printed in the Journal:

"Gentlemen of the Senate:

"I desire to call your attention to what I consider one of the most important subjects that at the present time demand legislation at your hands. I know of nothing more urgently demanded by the toiling masses of this State than immediate relief from the oppressive prices levied by the school book trust upon the great mass of people, who are struggling to give their children the scant advantages of an elementary education. The greatest and most gigantic monopoly that exists in Texas today is the school book trust. It has insidiously, industriously and effectively extended its influence and power until it permeates every nook and corner of our State. In many instances it has entered our sacred school system and used its influence for the election or defeat of school superintendents and school boards; and has made agents of those who should be the guardians and protectors of the interests and rights of the school children. This monopoly is striving to extend its influence even to the very capital of the State, and its representatives are here to-day, and have been here ever since this Legislature convened, ready and waiting to defeat any measure that may be offered in the interest of the people and against the trust.

"We are living in an age of cheap books, when competition should not be blighted by trusts and monopolies. There has never been a time in the history of the world when the actual cost of publishing was so small as at the present. The perfection of printing machinery, cheapness of paper and ink make it possible for publishers to furnish such text-books as are used in the elementary schools at one-half the cost at present extorted from the people of Texas. One Texas city alone sends out of the State \$21,000 for school text-books, or \$4.25 per capita of its school population. At this rate, Texas sends out of the State annually for her 750,000 school children more than \$3,000,000 for school text-books, which could be furnished by our own publishers for one-half that amount, and the money would remain in circulation among the people of our own State. Many poor children would then be able to attend school who are now deprived of the privilege on account of the high price of school

books. It remains for the Legislature to apply the remedy, and of course it behooves the Senate to do its part toward the desired end.

"GEO. T. JESTER,  
"Lieutenant Governor."

#### SPECIAL ORDER.

The Chair laid before the Senate, Senate bill No. 1, a bill to be entitled "An act to prescribe and define the liability of persons, receivers or corporations operating railroads or street railways for injuries to their servants and employes, and to prohibit contracts between employer and employe, based upon the contingency of the injury or death of the employe, limiting the liability of the employer for damages,"

Action being on engrossment.

(Pending action, Senator Neal in the chair.)

(Lieutenant Governor Jester in the chair.)

By Senator Dibrell:

Amend by striking out in section 1 all after the word "corporation," in line 15, and inserting in lieu thereof the following: "In same manner as is allowed by law to other persons not employes, when the injury results from the negligence of a fellow servant engaged in another department, grade or character of labor from that of the party injured, or of a fellow servant on another train of cars, or one engaged about a different piece of work; provided, an engineer in charge of a locomotive shall under no circumstances ever be a fellow servant with any other employe of such person, receiver or corporation."

On motion of Senator Colquitt, further consideration was postponed, and the bill made special order for to-morrow morning after call, by the following vote:

Yeas—16.

Atlee.	Linn of Wharton.
Bailey.	Neal.
Beall.	Ross.
Burns.	Stafford.
Colquitt.	Stone.
Dibrell.	Turney.
Harrison.	Wayland.
Kerr.	Yett.

Nays—7.

Bowser.	Rogers.
Gough.	Terrell.
Lewis.	Woods.
Morriss.	

Absent.

Goss.	Tillett.
-------	----------

## Excused.

Boren.	Linn of Victoria.
Darwin.	Presler.
Greer.	Yantis.

## HOUSE MESSAGE.

The following message from the House was received:

Hall House of Representatives,  
Austin, Texas, Feb. 9, 1897.

Hon. George T. Jester, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

House bill No. 83, a bill to be entitled "An act to create a more efficient road system for Raines county,"

With an engrossed rider.

House bill No. 272, a bill to be entitled "An act to amend an act entitled 'An act to incorporate the city of Austin, to grant it a new charter and to extend its boundaries,' passed by the Twenty-second Legislature, April, 1891, and presented to the Governor on the 3d day of April, 1891, by adding thereto sections 99a, 99n, inclusive, said sections providing for the creation of a board to be known as 'the water, light and power commission of the city of Austin,' for the election of said commission by the people of Austin, defining the powers and duties of said board, including the right of eminent domain, and providing for the protection of the water and other property and apparatus of the water, light and power system of the said city of Austin, and prescribing penalties to better secure such protection, and repeal all laws and parts of laws in conflict with the provisions of this amendment."

House bill No. 180, a bill to be entitled "An act to amend article 5043 of the Revised Statutes of 1895, so as to exempt Maverick county from the provisions of title 102, chapter 6, relating to the inspection of hides and animals,"

With engrossed rider.

House bill No. 107, a bill to be entitled "An act to define cold storage in local option counties, precincts, cities, towns or subdivisions, and affix penalties for keeping same."

With engrossed rider.

House bill No. 75, a bill to be entitled "An act to amend article 881 of the Penal Code of the State of Texas, relating to theft of horses, asses and mules, so as to fix the punishment therefor at confinement in the peni-

tentiary for not less than two nor more than ten years,"

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

The above bills were read first time and referred to-wit:

House bill No. 180 to Judiciary Committee No. 2.

House bill No. 107 to Judiciary Committee No. 2.

House bill No. 75 to Judiciary Committee No. 1.

House bill No. 83 to Committee on Roads, Bridges and Ferries.

House bill No. 272 to Committee on Towns and City Corporations.

Hall House of Representatives,  
Austin, Texas, Feb. 9, 1897.

Hon. Geo. T. Jester, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed

Senate bill No. 18, a bill to be entitled "An act to amend article 386c, chapter 1, title 18 of the Revised Civil Statutes of Texas, relating to cities and towns."

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

## MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received:

Executive Office, State of Texas,  
Austin, February 9, 1897.

To the Senate and House of Representatives.

At the request of the Governor of Kansas, the attached copy of concurrent resolution adopted by the Legislature of the State of Kansas is respectfully submitted for such action as you may deem proper to take.

C. A. CULBERSON.

Senate Chamber, Feb. 4, 1897.

To His Excellency, John W. Leedy, Governor of Kansas.

I have the honor to report to you that the Senate and House of Representatives have adopted Senate concurrent resolution No. 14; a copy of the same is transmitted herewith, and is as follows:

Senate concurrent resolution No. 14, by the Committee on State Affairs:

Whereas, the citizens of Kansas, Oklahoma and Texas have for many years endeavored to secure cheaper transportation of their products to the seacoast, and for that purpose have voted large subsidies to aid in the construction of north and south lines of railroad; and

Whereas, the government of the United States has expended six millions of dollars to establish a deep water harbor at the city of Galveston; and

Whereas, the influences of Eastern corporations seem to have dominated in fixing rates to the Southern seaboard, 500 miles away, and making them practically the same as those to the Atlantic seaboard, 2000 miles away; and

Whereas, the Governor of Kansas, in his message to the Legislature of Kansas, suggests as a remedy for this discrimination the consideration of an interstate railroad to tidewater in the South; now, therefore, be it

Resolved, by the Senate of the State of Kansas, the House of Representatives concurring therein, that the Legislature of Kansas immediately request the Legislatures of the State of Texas and the Territory of Oklahoma to join with us in the appointment of a committee of conference, to be composed of citizens of said State and Territory, whose duty it shall be to devise ways and means to obtain relief for the exorbitant freight rates now in effect to the seaboard on the south.

Resolved, that it shall be the duty of this committee to ask the assistance of the Interstate Commerce Commission and Board of Railroad Commissioners of said States and Territory, in procuring for the citizens of said States and Territory just and equitable freight rates, and if necessary, as a last resort, to consider the propriety of building an interstate railroad to the Gulf of Mexico.

Resolved, that the Governor of the State be requested to transmit immediately, under the seal of the State of Kansas, certified copies of these resolutions to the Governors of the State of Texas and Territory of Oklahoma, with the request that the same be transmitted to their respective Legislatures for consideration.

Respectfully,

M. WATSON,  
Secretary of the Senate.

Read and referred to Committee on Internal Improvements.

The Chair gave notice of signing, and did sign in the presence of the Senate, after its caption had been read,

Senate bill No. 18, a bill to be entitled "An act to amend article 386c, chapter 1, title 18, of the Revised Statutes, relating to cities and towns."

On motion of Senator Colquitt, the

regular order of business was suspended, to take up on its third reading and final passage,

Senate bill No. 28, a bill to be entitled "An act to further define the duties of the Railroad Commission of Texas to make and enforce rules."

Bill read third time, and passed by the following vote:

Yeas—22.

Atlee.	Morriss.
Bailey.	Neal.
Beall.	Rogers.
Bowser.	Ross.
Colquitt.	Stafford.
Dibrell.	Stone.
Gough.	Terrell.
Harrison.	Turney.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Wharton.	Yett.

Nays—1.

Burns.

Absent.

Goss.

Tillett.

Excused.

Boren.

Linn of Victoria.

Darwin.

Presler.

Greer.

Yantis.

On Senate bill No. 28 I vote "no," for the reason that I am of the opinion that section 3, in so far as it undertakes to provide rules and regulations for compression of interstate shipments of cotton is unconstitutional.  
BURNS.

The Chair laid before the Senate,

Senate bill No. 55, a bill to be entitled "An act to amend articles 641 and 642, chapter 2 of title 21, of the Revised Civil Statutes of Texas relating to the creation of corporations."

Senator Atlee offered the following amendment:

"56. To carry on any legitimate business enterprise which may be conducted in this State by any natural person."

Lost.

By Senator Turney:

Amend by adding section 56, page 7, as follows:

"56. To conduct a general agency and commission business."

Lost.

Senator Ross offered the following:

Amend by inserting in line 15, page 8, after the word "owns," the word "unencumbered."

Adopted.

By Senator Beall:

Amend division 54 by striking out the word "road," in line 8, and insert in lieu thereof the word "railroad."

Adopted.

Senator Atlee moved to reconsider the vote by which the amendment (Beall's) was adopted.

Lost.

By Senator Tillett:

Amend by adding after the word "mentioned," in line 14, on page 1, the following: "But all stockholders in any corporation formed under this or subsequent sections shall be personally liable to an amount double the stock owned by them therein in any case where said corporation would be liable."

Senator Gough moved to lay the amendment (Tillett's) on the table.

Tabled by the following vote:

Yeas—16.

Atlee.	Linn of Wharton.
Bailey.	Neal.
Beall.	Rogers.
Bowser.	Ross.
Burns.	Stone.
Gough.	Turney.
Kerr.	Wayland.
Lewis.	Yett.

Nays—9.

Colquitt.	Stafford.
Dibrell.	Terrell.
Goss.	Tillett.
Harrison.	Woods.
Morriss.	

Excused.

Boren.	Linn of Victoria.
Darwin.	Presler.
Greer.	Yantis.

By Senator Lewis:

Amend subdivision 54, page 9, line 7, by adding after the word "quarries" the words "manufacturing plants."

Adopted.

By Senator Bowser:

Strike out all of section 25, page 3, after the word "subdivision," in line 15.

Senator Colquitt moved that the Senate go into executive session on to-morrow (Wednesday) at 11:30 a. m.

Carried.

On motion of Senator Atlee, the Senate adjourned until 10 a. m. to-morrow.

## TWENTY-THIRD DAY.

Senate Chamber,

Austin, Tex., Wednesday, Feb. 10.

Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called. Quorum present, the fol-

9—Senate.

lowing Senators answering to their names:

Atlee.	Lewis.
Bailey.	Linn of Wharton.
Beall.	Morriss.
Boren.	Neal.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Stone.
Dibrell.	Terrell.
Goss.	Tillett.
Gough.	Turney.
Greer.	Wayland.
Harrison.	Woods.
Kerr.	Yett.

Excused.

Linn of Victoria. Yantis.  
Presler.

Prayer by Dr. F. S. Jackson, Chaplain.

Pending the reading of the Journal of yesterday,

On motion of Senator Wayland, the same was dispensed with.

## COMMITTEE REPORTS.

Committee Room,

Austin, Texas, Feb. 8, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Public Buildings and Grounds, to whom was referred

Senate bill No. 92, a bill to be entitled "An act to amend article 3829, title 85, of the Revised Civil Statutes of 1895, relating to rooms in the Capitol."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that the accompanying committee substitute do pass.

YETT, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

House bill No. 62, a bill to be entitled "An act for the relief of railway corporations and belt and suburban railway companies having charters granted or amended since the 1st day of January, 1887, and which have failed or are about to fail to construct their roads and branches, or any part thereof, within the time required by law."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments: